

HOUSE BILL 3853

By Casada

AN ACT to amend Tennessee Code Annotated, Title 5,  
Chapter 20 and Title 6, Chapter 54, relative to  
housing designated for certain individuals.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1.

(a) Notwithstanding any provision of law to the contrary, any county that has adopted codes pursuant to title 5, chapter 20, and any municipality that has adopted codes pursuant to title 6, chapter 54, part 5, shall require that twenty-five percent (25%) of all private dwellings that are designated for individuals fifty-five (55) years of age and older, and one hundred percent (100%) of all rental dwelling units designated for individuals fifty-five (55) years of age and older meet the following requirements:

(1) Parking spaces outside of each private dwelling or rental dwelling unit shall be located as closely as possible to the building, but not more than one hundred (100) feet from each accessible entrance to the building, including every entrance of a multi-entrance building; and

(2) All private dwellings or rental dwelling units shall meet the minimum requirements found in the American National Standards Institute A117.1-2003 edition, sections 302, 303, 304, 305, 306, 307, 308, 309, 402, 403, 404, 405, 406, 502, 505, 506, 603, 604, 606, 607, 608, 609, 610.

(b) Any private dwellings or rental dwelling units that meet the requirements of this section shall be certified accessible by the appropriate municipal or county building code commission.

SECTION 2. Notwithstanding any provision of law to the contrary, the requirements of this act shall apply only as follows:

(1) The requirements of this part shall apply only to developments proposed with a concept plan for individuals fifty-five (55) years of age or older, and not to property owners building a dwelling for personal use on their own land;

(2) The entrances to a dwelling may be from any side of the building that is served by an accessible route;

(3) Doors on closets of less than fifteen (15) square feet capacity do not have to meet the requirements of this part;

(4) Only one (1) bathroom on the main level of a dwelling is required to meet the requirements of this part;

(5) If requested by the owner, a standard height toilet may be used in lieu of a toilet meeting the requirements of this part;

(6) Thresholds in a shower stall shall be a maximum of three (3) inches;

(7) Only one (1) remote electrical control switch is required to meet the requirements of this part in a room with two (2) or more electrical light switches;

(8) Only one (1) remote communication device control is required to meet the requirements of this part in a room with two (2) or more communication device controls; and

(9) Toilets shall be positioned with a wall or partition to the rear and to one side. Clearance around the toilet shall be a minimum of sixty (60) inches, measured perpendicularly from the side wall, and fifty-six (56) inches, measured perpendicularly from the rear wall. No other obstruction shall be within the toilet clearance. The distance from the side wall to the center of the toilet shall be a minimum of sixteen (16) inches and a maximum of eighteen (18) inches.

SECTION 3. The provisions of this act shall not apply to any nursing home, assisted living facility and any other residential facility licensed by the board of licensing health care facilities or to any public housing.

SECTION 4. This act shall take effect on January 1, 2009, the public welfare requiring it.